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Attorneys for Defendant  
Driscoll Strawberry Associates. Inc.

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DG BERRY, INC, a California Corporation

Plaintiff,

v.

DRISCOLL STRAWBERRY ASSOCIATES,  
INC., a California Corporation

Defendant.

Case No. CV13- 1236 EMC

**STIPULATION AND ORDER TO RE-  
SET STATUS CONFERENCE**

**Date: August 22, 2013**

**Time: 9:00 a.m.**

**Judge: Hon. Edward Chen**

Plaintiff DG Berry, Inc. ("Plaintiff") and Defendant Driscoll Strawberry Associates, Inc.  
("Defendant"), by and through their respective counsel, hereby stipulate as follows:

**RECITALS**

1. In their Joint Case Management Conference Statement, the parties notified the Court that they had set mediation of this case with Retired Judge Richard Silver through JAMS,, and have previously twice applied for and received continuations of the Case Management Conference due to the original mediation session which occurred on July 9, 2013, and a continued mediation session which occurred on August 9, 2013..

9 4. Because of the travel schedules of the decision-makers for Defendant, the parties  
10 agreed that they would submit their response to Judge Silver's recommendation for settlement  
11 by Monday, August 26, 2013. If either or both parties reject Judge Silver's recommendation for  
12 settlement, it will have no effect and the litigation will proceed. If both parties accept Judge  
13 Silver's recommendation for settlement, then they will proceed to negotiate the language of a  
14 settlement agreement, including but not limited to a provision concerning the confidentiality of  
the settlement agreement.

19 Defendant's counsel, James W. Sullivan plans to be out of the country from September 7  
20 through 21, 2013 if a family medical condition does not prevent or delay that trip.

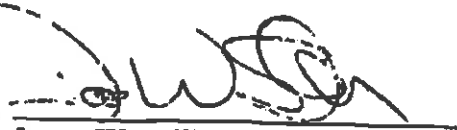
25 IT IS SO STIPULATED

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Effie Anastassiou, Esq.  
Anastassiou & Associates  
Attorneys for Plaintiff  
DG Berry, Inc.

Dated: Aug. 15, 2013



James W. Sullivan, Esq.  
L&G, LLP  
Attorneys for Defendant Driscoll  
Strawberry Associates, Inc.

Dated: Aug. 15, 2013

**CASE MANAGEMENT ORDER**

The above stipulation is approved. The Case Management Conference, currently set for August 22, 2013 is hereby continued to:

Date: 9/5/13

Time: 9:00

Courtroom: -5

IT IS SO ORDERED

Dated: 8/15/13

